Islamic Edicts on Family Planning



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بسم الله الرحمن الرحیم

Islamic Edicts on Family Planning

:Writer

A group of authors

:Published in print

Almas

:Digital Publisher

Ghaemiyeh center of computerized researches

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Islamic Edicts on Family Planning

BOOK ID

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Category: Marriage

:Topic Tags:Family planning Birth control Miscellaneous information: Published by

Ministry of Health and Medical Education with support from the United Nations (Population Fund (UNFPA

point

This book is a compilation of rulings given by the Maraji' on issues related to family planning, like birth control, its various applications and procedures, and abortion. It also includes rulings by Sunni scholars on these topics.

Introduction

بسمه تعالى

In His Name, the Most High

The uncontrolled growth of population this century has posed a huge dilemma and has brought with it irreversible damages to all aspects of life – including the environment that people live in and the health and welfare of the family. Keeping in mind that if the economic, societal and cultural factors do not expand to keep in line with the growth of population, then this population growth will definitely have a negative impact on the well being of the entire society.

Where as ۱۵۰ years ago, the population of the world was a mere ۵۰۰,۰۰۰,۰۰۰ people, at the present time, there are currently over ۶,۰۰۰,۰۰۰,۰۰۰,۰۰۰ people inhabiting the planet

Earth and this number is on the increase as can be seen by the current growth of population of the world. We must also keep in mind that ۹۰٪ of this increase has taken .place within the non-Industrialized countries of the world

Iran is also one of those countries in the

category of those whose population growth has led to a change within the society. Due to improvement of the state of health and medicine at the present time in comparison to the past, the number of deaths and mortalities especially the death and mortality rate amongst children has dropped – however the number of births .within the country has also gone up

In the census of ۱۳۴۵ (۱۹۶۶), the population of Iran was close to ۲۶,۰۰۰,۰۰۰, however during the census of ۱۳۶۵ (۱۹۸۶) – meaning during the span of twenty years – this .number had almost doubled and the population reached close to ۵۰,۰۰۰,۰۰۰

Keeping this increase in mind, it can be stated that by the year ۱۴۰۰ (۲۰۲۱), the population of Iran may well be ۱۰۰,۰۰۰,۰۰۰. In addition, according to the statistics of the median age of the population taken from the various indicators of the growth and planning of families within the Islamic Republic of Iran that were gathered in the .month of Tir, ۱۳۷۶ (۱۹۹۷), ۳۶.۷٪ of the population of Iran were under the age of ۱۵

It is clear that the securing of food resources, work, residence, health, ways to spend free time, education, etc... for a population that is on the increase is one of the most essential issues in the path of expanding the economic situation and in maintaining .the society

In their responsibility as assistants in helping in family planning within the country (of Iran), in addition to the above mentioned opinions, the

Ministry of Health has also strived to present the outlook of Islam in relation to .population control

Keeping in mind that there are pregnancies of girls under ١٨ years of age and of women over ٣٥ years of age; pregnancies which are taking place less than two years after delivery of the previous child; women having three or more children and other such things which significantly increase the chances of death of the mother and her child and also keeping in mind that both of these groups – both the mothers and their children – are two groups that face more of the societal pressures, it was necessary to go forth in the correct manner (in educating others) to help prevent the death of .these individuals

Thus, following in the direction of other political developments that have been taking place with the government of the Islamic Republic of Iran, from the year ١٣۶٨ (١٩٨٩), population control was included as one of the principle programs of the Ministry of .Health

The outcome of this step forward was a decrease in the growth of the population which in the year ١٣۶۵ (١٩٨۶) was approximately ٣.٩٪ to around ١.۴٪ in the year ١٣٧۵ .((١٩٩۶

That which was the principle factor which guaranteed success of this movement was the co-operation of the respected Grand Scholars through their contemplation on the .issue of family planning and issuing of Fatawa(١) in these regards

This development in the field of Islamic Fiqh(٢) gained the attention of many of

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(.Religious injunctions issued by senior Scholars. (Tr -١

Jurisprudence – the science of extracting and deducing the Islamic laws from the -٢ (.primary sources. (Tr

the Islamic countries such that within two years, many scholars of the highest caliber, the Leaders of Salatul Jumu`ah(۱) and Jama`at(۲), those in charge of the Health Ministries (of their own countries) and groups from Malaysia, the Philippines, Yemen, Sudan, Mali, Maldives, Egypt, Guinea-Bissau and other countries traveled to Iran and were able to witness from up close the changes that were taking place (in regards to family planning).

The present book is a compilation of Fatawa from the top caliber religious scholars of the Shi`a and the Ahl as-Sunnah within the Islamic Republic of Iran in relation to the various methods of birth control.

During the course of a few months, Doctors Shahryari Afshar, A`dham Dukht Rahimi and Shirin Qadhi Zadeh Ihsa'i were able to compile these religious enquiries.

We would like to express our thanks to these three ladies who went through great difficulties and also the difficulties that the respected assistant of the Ministry of Health also went through in this work.

Doctor Bahram Dilawar

Director of Family Hygiene

Birth Control

point

Rule ۱: In general, it is permissible to use birth control to prevent pregnancy, and it is (also) permitted to use the (various) forms of birth control.

Rule ۲: If becoming pregnant would lead to a danger or hazard to the woman's life, then the woman is permitted – for as long as there is a probability of her life being in danger – to employ the methods of birth control and it does not make any difference if the danger

١- Tr (Friday Prayers.)

٢- Tr (Congregational Prayers.)

.to her life) is immediate or if it would come about later on)

Rule ٣: The religiously approved methods which one may make use of to prevent :pregnancy include

a) Birth control by using devices such as an I.U.D. (Intrauterine Device), condoms or .the injection of a drug (to prevent pregnancy) and other things such as these

b) Natural methods of birth control: This would include Coitus Interruptus or ejaculating outside of the wife. However if this method of birth control leads to other forms of physical or mental illness for the woman and man, then it would not be .permissible

c) Conditional Birth Control: What is mean by this is that at the time of reciting the marriage contract, the woman makes a condition that for a certain period of time or for as long as they are married, she would use birth control and her husband also .accepts this condition

Rule ۴: It is permissible to have one's tubes tied (Tubal Ligation - Tubectomy) to prevent pregnancy as long as this procedure is temporary (reversible) and would not lead to a woman being permanently unable to conceive nor would this act cause any sort of life-threatening conditions. In addition, once the tubes have been re-opened, she would once again have the ability to conceive. In other than this scenario, it would .not be permissible to perform the Tubectomy

Rule ۵: The ruling on having one's tubes tied (Tubectomy or Vasectomy) is the same for both men and

.(women (as has been mentioned above

Rule ۶: In using any of the methods of birth control that are available, it is essential for the woman to have the consent of her husband and the wife is not permitted to go .forth and use any of the methods without first taking the approval of her husband

It is permitted to employ birth control methods, keeping in mind the following three :conditions

The procedure does not damage the (sexual) organ nor would it lead to permanent (۱ .sterilization

.The husband approves of the use of birth control (۲

The procedures that would be employed for birth control and placing the device (۳ related to it (inside the person) would not involve the performance of a forbidden .(haram) act

Controlling the number of children and regulating ones' family can be examined from :two different aspects

.(The steps which are employed before conception (birth control (۱

.(The steps which are employed after conception (abortion (۲

According to the fatwa of the late Imam Khumayni (may Allah be pleased with him), the first method (of birth control) is permissible as long as no forbidden acts are .performed in order to achieve it

As for the second method (abortion), it is forbidden (haram) except if necessity expedites that it be done however this act must be performed before the soul is infused into the fetus – meaning before the fetus has reached to the age of four .months – in which case it is permissible

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The Noble Prophet (blessings of Allah be upon

p: ۶

him and his progeny) has said: "The best of you is the person who acts in the best way with his family and I am the best of you in relation to my family."

Wasa`il ash-Shi`a, Volume ۱۴, Page ۱۲۲, Hadith ۸

Enquiries from the Religious Authorities in Regards to Birth Control

Question ۱: Generally speaking, is Islam is favour of birth control? In addition, is it permissible to make use of the various means to prevent pregnancy - such as medications – which are available?

Answer ۱: (Islam) has given permission (for the use of these) and it is not a problem.(۱)

Question ۲: In relation to making use of the various forms of birth control, is it necessary to have the consent of the wife and husband?

Answer ۲: The consent of the husband is mandatory.(۲)

Question ۳: Are we permitted – keeping in mind that we have knowledge concerning the health and cultural problems, etc… that result from an increase in population (and also keeping in mind that this task is also one of our responsibilities as specialists in the field of public and family health) – to disseminate information to others in relation to prevention of pregnancy, even if this is not requested (from us)?

Answer ۳: First and foremost, it behooves the Administration in charge of the affairs of the Islamic land to use all means possible in increasing life expectancy – which is something that is desired by the holy law – and in the case where (such) correct management is put in place and if

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۱- Imam Khumayni (may Allah be pleased with him), Islamic Medical Issues

۲- Ibid.

still) we reach a point where it is not possible to manage a greater population, then) (birth control (information) should be disseminated.(۱)

Question ۴: Just as it is customary in order to prevent unwanted pregnancies and abortion of the fetus when the woman's life is in danger, with the permission of their husband, women make use of medicines and things such as an I.U.D.s (Intrauterine Device) (an item that is placed inside the womb), a galea, the diaphragm, creams, jells and injections – all of which prevent fertilization of the egg. Through this act, the men, with the consent of their wives, are spared from needing to use condoms (a rubber cover over the penis) and from practicing Coitus Interruptus (ejaculating outside of .(the woman

We request you to please put in writing the Islamic injunction in relation to what has .(been mentioned (above

Answer ۴: If the issues mentioned do not entail any danger or lead to defects of the (private) parts, and the husband has given his permission, then they are not a (problem.(۲

Question ۵: Is the woman and her husband – who from the point of view of the society and culture (that they live in) and by keeping in the mind conditions that exist within their surroundings and who know that they do not have the ability to bring up their ?children – permitted to provisionally not have any children

Answer ۵: Preventing a pregnancy using the religiously approved methods is not a (problem.(۳

Question ۶: In the

۱- Ibid.

۲- Imam Khumayni, Question

۳- Imam Khumayni (may Allah be pleased with him), Islamic Medical Issues

event that the permission of the husband is necessary however he will in no way ?permit (any form of birth control), then what should be done

Answer ۶: There is no other option except (to engage in birth control) with his (permission.(۱

Question ۷: In order to control population growth – according to the teachings of Islam – is it permitted for a woman to make use of the new methods of birth control such as the I.U.D., to have one's tubes tied or birth control pills which would result in ?the prevention of pregnancy

Answer ۷: Temporary birth control methods such as the birth control pill and other things such as this – if they do not pose any imminent danger – are not a problem. However if the tying of the tubes of the womb of the woman is done for a logical reason and will protect the woman from an imminent physical or mental danger, then (with the permission of the husband, this act in itself is not a problem.(۲

Question ۸: There are various methods and means of preventing pregnancy and population control. Can a person who has information regarding these (various means ?(and methods of birth control) voluntarily pick one of them (to use

Answer ۸: As long as the Islamic position is maintained (in all of the methods of birth (control), then it is not a problem.(۳

Question ۹: Is it permissible for women to employ means of birth control to avoid ?pregnancy or not

Answer

۱- Ibid.

۲- Ayatullah Khamene'i, Islamic Medical Issues

۳- Ayatullah Khamene'i, The Medical Opinions within Ijtihad

.It is not a problem with the consent of her husband :٩

Question ٩b: Assuming that it is permissible, what is the ruling of each of the following ?forms

?Through the use of birth control pills and other things like this (١

.Answer: It is not a problem

?Placing an instrument inside the womb to prevent pregnancy (٢

Answer: In itself, it is permitted, however there must not be any forbidden look or (touch.(١

Question ١٠: Is temporary birth control permitted for a healthy person through the use of the means and methods (available) which would prevent the fertilization (of the ?egg) from taking place

(Answer ١٠: It is not a problem as long as the husband and wife both consent to it.(٢

Question ١١: Are the methods that are being propagated and recommended by the administrators within the sacred establishment of the Islamic Republic (of Iran) in relation to family planning and birth control without any impediment from the point of ?view of the Islamic teachings

Answer ١١: Simply having a method (of birth control) in vogue within the society does not constitute a religious confirmation that it is allowed or permissible according to the (Islamic regulations.(٣

Question ١٢: If a temporary method of birth control hinges Interruptus on performing a forbidden act such as the doctor looking (at the private parts) of the patient of the same sex (woman doctor looking at a female patient and a man doctor looking at a male patient) or a male doctor treating a female patient, or the opposite (female

۱- Ayatullah Khamene'i, Islamic Medical Issues

۲- Ibid.

۳- Ibid.

?treating a male), then in what instances is the impermissibility of this act revoked

Answer ١٢: It is not permissible to look at and touch (the private parts of) another person – even if it is a doctor of the same sex and this act is forbidden except in cases (of necessity which shares the same ruling as other acts of necessity (in the religion).(١

Question ١٣: Is the religion of Islam in agreement with the (population) growth of the ?society

Answer ١٣: Islam is in agreement with the growth of the society since with the growth in the number of Muslims, this is proof of the greatness and strength of them (the Muslims). However in some specific circumstances, (Islam) is not in favour of a ((population) growth within the society.(٢

Question ١۴: Is it permissible for a woman – without the permission or consent of her husband - to exercise birth control so as to not get pregnant, such as using birth ?control pills

Answer ١۴: If there is major harm in it (in her becoming pregnant), then it is (permissible even if her husband is not happy with it.(٣

Question ١۵: In order to prevent pregnancy, many Muslim women take birth control pills and other medications, have injections or place an instrument inside themselves so that the fertilization does not take place and thus, they do not become pregnant. Is ?it permissible or not to stop the fertilization through the ways mentioned

,In addition, at the time of ejaculation

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١ - Office of Ayatullah al-`Uzma Araki (may Allah be pleased with him) – Rules on Family Planning

٢- Ayatullah Fadhil Lankarani, Medical Issues

٣- Ibid.

some men discharge outside of the woman or use a condom so that the sperm does not enter into the womb, rather, it stays inside the condom. From the Islamic point of ?view, is this act permissible or not

?And also, does the woman being healthy or sick change the ruling in this issue

Answer ۱۵: In the stated question, if any of the methods used for preventing pregnancy would result in a defect to the sexual organ and would result in infertility, then it is not permissible. However if these do not result in the defect of the sexual organ, rather, they temporarily prevent fertilization, then it is not a problem as long as it does not result in any other complications to the body. Nevertheless, this act should .not be prolonged since it is preferable to have a large number of Muslims

However if the pregnancy poses a physical danger or risk to the woman, then she is .fully permitted to use birth control for as long as the danger persists

In relation to men, if ejaculating outside of the woman is done without the consent of (his wife, then it is reprehensible.(۱

Enquiries from the Religious Authorities in Regards to Semen Testing

Question ۱: In order to know if a man is able to father a child or not, in some hospitals they require the man to masturbate so that the semen can be sent to the laboratory ?for examination. Is this act permissible or not

(Answer ۱: It is forbidden (haram).(۲

:Question ۲

Ayatullah Gulpaygani (may Allah be pleased with him), Islamic Medical Issues -۱

Imam Khumayni, Question, Page ۵۱ -۲

Examination of a man's sperm necessitates masturbation, however not performing ?this test is not of vital importance – is it permissible to perform this act

Answer ۲: If it not necessary (to do this test) to cure an illness, then it is not permissible. However in the case of necessity, the ruling of this act is the same as the (ruling of other forbidden acts.(۱

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Imam al-Ridha (peace be upon him) has said: "The person who struggles through the permitted means to provide for his family is similar to the combatant who fights in the ".way of Allah

Bihar al-Anwar, Volume ۱۰۴, Page ۷۲, Hadith ۱۴ Fiqh al-Ridha

Imam `Ali (peace be upon him) has said, "Always be a companion with your wife and ".always deal with her in a pleasant manner so that you may have a pleasant life

Makarimul Akhlaq, Page ۲۱۸

Enquiries from the Religious Authorities in Regards to Preventing Pregnancy

Question ۱: Is it permissible for the husband to employ methods of birth control to prevent his wife from becoming pregnant? If it is permissible, then what is the ruling ?on using the methods listed below

.Answer ۱: It is not a problem

?Question ۱a: Ejaculating outside of the woman without her approval

.Answer ۱a: It is permissible

?Question ۱b: Ejaculating outside of the woman with her approval

.Answer ۱b: It is permissible

?Question ۱c: Using a condom or special medication to prevent pregnancy

(Answer ١c: It is permissible.(٢

Question ٢: Is it permissible to use the method of coitus interruptus to prevent ?pregnancy

Answer ٢: In itself it is not a problem however one must make

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١- Ayatullah Khamene'i, Legal Questions, Page ١٩٨, The Medical Opinions within Ijtihad

٢- Ayatullah Khamene'i, Islamic Medical Issues

sure that no other haram act is performed and the woman must have the permission (of her husband (to employ this method).(۱)

Question ۳: What is the ruling on coitus interruptus utside of the woman – and is it ?necessary to have the approval of one' spouse for this

(Answer ۳: It is not a problem and it is not necessary to have the consent of the wife.(۲)

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Muhammad ibn Salam has said that Imam as-Sadiq (peace be upon him) was asked concerning coitus interruptus to which the Imam replied, "This is up to the man and he ".is permitted to act in any way which he sees fit

Wasa`il ash-Shi`a, Volume ۱۴, Section ۷۵۰, Hadith ۱۰۵۱

Ata has narrated from Jabir that during the time of the Prophet, they used to` practice coitus interruptus and then the verse of the Qur`an was revealed that did not .prevent them from continuing in this way

(Sahih Bukhari, Volume ۳, Section on Coitus Interruptus (۹۴

Enquiries from the Religious Authorities in Regards to Norplant and Injections (to (Prevent Pregnancy

Question ۱: Of the ways that is used to prevent pregnancy is in relation to controlling the hormones of the woman in which the prevention of the fertilized egg being placed .(in the womb is achieved (which is almost similar to the birth control pills that are used

In relation to this, there are two methods employed – to have a Norplant implant and the other is through the injection (of certain drugs). The Norplant implant goes under the skin of the shoulder (of the woman) and after implant, it prevents pregnancy

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۱- Ayatullah Khamene'i, Legal Questions, Page ۹۷, The Medical Opinions within Ijtihad

.for up to three months from the time that it is given

We would request you to please provide us with your opinion is in regards to using .these forms of birth control

In addition, since using these forms of birth control in some women may result in spotting or a prolonged monthly period, in relation to their religious responsibility, ?(must they follow the ruling of irregular bleeding (Istihadha

Answer ١: This issue has the same ruling as the previous question (Question number ۶ .(.in relation to the usage of the I.U.D

If the blood does not continue for more than three days, then it is not considered as the menstrual blood (Haidh) and thus, it falls under the ruling of irregular bleeding ((Istihadha).(١

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The Noble Prophet (blessings of Allah be upon him and his family) has said, "Accept my ".advice to you that you must do good to your women

Mustadrak al-Wasa'il, Volume ١۴, Page ٢۵٠, Hadith ۶

Imam al-Baqir (peace be upon him) has said, "In the same way that a man love to see items of beautification on his wife, the women too love to see items of beautification ".on their husbands

Makarimul Akhlaq, Section ۵, page ٨٠

Enquiries from the Religious Authorities in Regards to Prevention of Fertilization after Intercourse

Question ١: If after the act of intercourse, the husband and wife then decide to prevent a pregnancy from occurring or in instances such as if the condom rips and thus, the sperm of the husband unintentionally goes into the vagina of the woman, in the books of medicine, it has been advised that

۱- Ayatullah Khamene'i) Question asked from the Office of the Supreme Leader)

.one can take a special hormone pill three days after intercourse

:The way that these hormone pills work is that

If they are taken before the egg is released, then they prevent the egg from being (۱ .released

If they are taken after the egg is embedded in the womb, then the following two (۲ :scenarios come up

a) The medication has an effect on the movements inside the womb of the woman to .prevent the sperm from reaching to the egg

b) It prevents the fertilized egg from attaching itself to the wall of the womb and thus, .prevents the woman from becoming pregnant

We would appreciate it if you could explain to us the Islamic ruling on the use of this .medication

(Answer ۱: If it does not result in the abortion of the fetus, it is not a problem.(۱)

Question ۲: If the couple had made the intention of using one of the methods of protection to prevent pregnancy and in the event that a problem comes up in the method of usage such as the ripping of the condom at the time of intercourse, is it then necessary to use another method to prevent an unwanted pregnancy which ?would not have negative psychological, societal or economical effects

According to the medical books it can be deduced that it has been recommended that a special hormonal medicine should be taken in the first three days after intercourse, and the way that this medicine works – up until now – has

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۱ – Question asked from the Office of the Supreme Leader (Ayatullah Khamene'i), Question ۴۶۳۰۱

.remained unknown

Answer ۲: Even though the original question remains ambiguous, however there is no problem in birth control – in and of itself - however the forbidden acts that may be related to it such as the forbidden touching or looking or an imminent danger (to the woman) must be observed. One must refrain from all of these things, and in addition, (the woman must have the consent of her husband for these things.(۱

Question ۳: The medication that prevents pregnancy which is taken in the first week following intercourse results in the fetus being aborted if one was pregnant. If one is ?not pregnant, then it has no effect. What is the ruling on the use of such medication

Answer ۳: In the event that one does not have knowledge of being pregnant, then it is (not a problem.(۲

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Imam as-Sadiq (peace be upon him) has said, "It is enough of a sin for a person that he does not pay attention to the rights of his family and that he does not provide for ".them their needs

Wasa`il ash-Shi`a, Volume ۱۵, Page ۲۵۰, Hadith ۴

Enquiries from the Religious Authorities in Regards to Fulfilling the Religious Obligations after Menopause

Question ۱: Keeping in mind that for many women who are non-Sayyid(۳), once they reach to the age of fifty lunar years (۴۸ years, ۷ months and ۱۵ days according to the solar calendar), just as they naturally have their monthly period, in the examinations that are performed in the laboratories, it has been proven that their sexual hormones are no different than before they

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Question asked from the Office of the Supreme Leader (Ayatullah Khamene'i), - ۱

Question ۴۶۳۰۱

Ayatullah Fadhil Lankarani, Islamic Medical Issues -۲

Direct descendents of the Prophet Mu¦ammad (blessings of Allah be upon him and -۳
(.his family) (Tr

.reached to the age of fifty

We would be grateful if you would please explain to us - does this group of women ?(have to follow the rules of irregular bleeding (Istihadha

If the answer is positive, since it is difficult to act according to the Islamic injunctions in regards to irregular bleeding (Istihadha), there are some women who request an operation to have their womb removed. In this event, is the Physician obliged to carry ?out the operation

Answer ١: Such a woman would apply the rulings of irregular bleeding (Istihadha) and the act mentioned (removal of the womb), in and of itself is not a problem however one must make sure that no forbidden touching or looking is done and that it is carried (out with the permission of the husband.(١

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Imam as-Sadiq (peace be upon him) has said, "Whoever acts in a kind way with his ".family will have years added to his life by Allah

Bihar al-Anwar, Volume ١٠٣, Page ٢٢٥, Hadith ٩

Enquiries from the Religious Authorities in Regards to taking Birth Control Pills

Question ١: What is the ruling on a person using birth control methods when they know or there is a possibility that it may have some harm related to it (for example the ?(birth control pills which clearly harm the heart and the blood vessels

Answer ١: If there is an open hazard or danger (in using such things), then one must (not make use of them.(٢

Question ٢: In order for women who have from five to twelve children to not become pregnant again, they

١- Question asked from the Office of the Supreme Leader (Ayatullah Khamene'i), Question ٢٠٣٠٧

٢- Imam Khumayni (may Allah be pleased with him), Islamic Medical Issues

request that they be given birth control pills or that an instrument is placed inside the ?womb (to prevent pregnancy) – is this permitted or not

Answer ۲: If the prevention of the pregnancy does not harm the private parts nor is the woman made permanently sterile and it is done with the consent of her husband, then it is not a problem however the forbidden touching or looking (at the private (parts) must be avoided.(۱)

Question ۳: Women who would like to prevent their monthly period take a medication. However when they take it, then they see spotting (however it does not continue) and .(even during the time of their monthly period (this spotting occurs

?Is this spotting part of the menstrual cycle (hayd) or not

Answer ۳: If she does not see this blood for three straight days, then it is not (considered as her monthly cycle (haidh).(۲)

Question ۴: There are some women who, in order to avert their monthly period during .the trip to the Hajj(۳), take a medication

Sometimes, when they take these pills, they still have their menstrual cycle however .through taking an injection, they are able to stop it once again

Does preventing the menstrual cycle through the injection result in the ritual purity (taharah) of the woman from the menstrual cycle (haidh) and thus, is she permitted to ?perform those actions which demand ritual purity

Once she has stopped the monthly period, under what intention must she perform her Ghusl (ritual

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۱- Imam Khumayni (may Allah be pleased with him), Islamic Medical Issues

۲- Imam Khumayni (may Allah be pleased with him), Islamic Enquiries, Volume ۱

۳- Annual pilgrimage that all Muslims must make at least once in their lifetime to the

(.city of Makkah. (Tr

?(bath

Answer ۴: If she does not see blood for three straight days, then the ruling of her monthly menstrual cycle (haidh) would not apply to her and her Salat and fasting are correct and any blood seen for less than three days has the ruling of irregular (bleeding (Istihadha).(۱

Question ۵: During the period of the hajj, a woman takes some medication so that she will not have her monthly menstrual cycle so that she can perform the rites (of the .(hajj

However from the time that she takes this medication, she continuously sees .discharge which is yellow in color and which she thinks may be blood

Since it was the time that she normally had her menstrual discharge, she doubts if this .is Istihadha or not

Seeing as how she does not have the ability to carefully deduce this, thus, she takes it as not being the blood of irregular bleeding (Istihadha) and thus, she does not follow the rulings related to this condition and performs the Salat and Tawaf .((circumambulation

?In this state, are her actions correct or not

Answer ۵: If she has doubt as to the discharge as has been mentioned if it was blood or not, then it does not have the ruling of irregular bleeding (Istihadha), and all of her (actions are correct.(۲

Question ۶: Is it correct for the woman who normally sees the blood of her monthly cycle (haidh) however has taken medication to stop the blood so that

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Imam Khumayni (may Allah be pleased with him), Islamic Enquiries, Volume ۱, Page -۱ ۷۱

Imam Khumayni (may Allah be pleased with him), Islamic Enquiries, Volume ١, Page -٢
٧١

?she is able to fast to act in this way

Answer ۶: If by taking the medication, her monthly cycle is stopped, then her fasting is (correct.(۱

Question ۷: Is a woman permitted to take birth control pills without the consent of her husband? Or, for example, is she permitted to make use of the I.U.D. (without his ?(consent

(Answer ۷: She must not do these without the consent of her husband.(۲

Question ۸: Is there any problem with taking medication to stop the monthly ?menstrual cycle during the Hajj period or the Month of Ramadhan

(Answer ۸: It is not a problem with the condition that there are no dangers involved.(۳

Question ۹: Any time that a woman uses birth control methods without the permission of her husband such as birth control pills to prevent pregnancy, keeping in mind that these are all temporary methods and will not result in her become sterile, what is the ?opinion on this

Answer ۹: In the example of the question given, apparently, the permission of the (husband is not a necessity.(۴

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Imam Ridha (peace be upon him) has said, "Nobody has brought any good to himself which is better than a righteous spouse such that when he looks at her, he is filled with pleasure, and when he is separate from her, she protects her chastity and ".guards over his wealth

Wasa`il ash-Shi`a Volume ۱۴, Page ۲۲, Hadith ۶

.Enquiries from the Religious Authorities in Regards to Usage of the I.U.D

Question ۱: Keeping in mind that there is a difference of opinion amongst the Medical profession if the internal device placed in

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۱- Imam Khumayni (may Allah be pleased with him), Islamic Enquiries, Volume ۱, Page ۳۱۶

۲- Ayatullah Khamene'i, The Medical Opinions within Ijtihad

۳- Ayatullah Khamene'i, The Medical Opinions within Ijtihad

۴- Ayatullah Gulpaygani, Islamic Medical Issues

the womb (which prevents pregnancy) actually prevents the fertilization or if after fertilization has taken place (the joining together of the male and female cells) this device prevents the fertilized egg from attaching itself to the will of the womb, thus :resulting in the removal of the fertilized egg

a) What is the ruling on using this instrument if a person has certainty that it works in ?(the second way mentioned (prevention and removal of the fertilized egg

.Answer ۱a: If it results in the abortion of the fetus, then it is not permitted

b) What is the ruling on using this instrument if the person has a doubt between the ?two methods mentioned above

(Answer ۱b: In the event that there is doubt, there is no problem in using it.(۱

Question ۲: One of the ways to prevent the fertilization of the egg is that an instrument is fitted inside the opening of the womb of the woman after which, one of .the side-effects is that the woman would see a discharge of blood

.In addition, it is possible that this blood may last for a long time

Keeping in mind that this is natural blood, would it be classified as the monthly ?menstrual cycle

?In general, is this action permissible or not

Answer ۲: If the above mentioned action results in damage to the private parts, permanent sterility of the woman, result in the direct killing of the fetus in the womb or is accompanied by an external forbidden act such as a

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۱- Imam Khumayni (may Allah be pleased with him), Islamic Medical Issues

.(stranger looking at the private parts of the woman, then it is forbidden (haram

In other than this, the example given in the question is not a problem and if the blood that comes out during the period of the woman's monthly cycle lasts for three straight days, then it would have the ruling of her regular monthly discharge. If it lasts for more than her regular monthly cycle and is more than ten days, then it has the ruling (of irregular bleeding (Istihadha).(١

Question ٣: What is the ruling on using temporary methods of birth control such as the I.U.D. - which up until now, have not been determined as to exactly and precisely how it prevents pregnancy, however the belief of most people - according to the latest research that has come out - is that it prevents the fertilized egg from attaching itself ?to the wall of the womb

Answer ٣: If it has not been established that it aborts the fetus and it does not make the woman infertile and there is no damage to the private parts, then it is not a problem. However, if it does result in the abortion of the fetus, then it is not permissible and in any event, the Islamic rulings in relation to looking and touching (of (the private parts) must be observed.(٢

Question ۴: Is it permissible to make temporary use of instruments like the I.U.D. to prevent pregnancy - keeping in mind that it is not exactly

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Imam Khumayni (may Allah be pleased with him), Islamic Enquiries, Volume ١, Page -١ ٧٠

.Ibid -٢

?and positively known how this instrument prevents the pregnancy from taking form

(Answer ۴: If it results in the abortion of the fetus, then it is not permissible.(۱)

Question ۵: It is not possible to place the I.U.D. inside the woman to prevent pregnancy without looking and touching the woman and thus in this case, is it permissible to have this instrument placed inside the woman by a male or female ?doctor

Answer ۵: It is not permissible to touch or look (at the private parts of another person) even though the actual act of placing and using the device is permissible with the (permission of the husband.(۲)

Question ۶: Through making use of the methods of birth control, the chances of having an unwanted pregnancy and the physical and psychological damage that result from such a pregnancy are reduced such that according to the world statistics, it has shown that through family planning and preventing pregnancies, we are able to .reduce the death which would arise by ۲۵-۳۰٪

The I.U.D. is considered as one of the effective and successful methods of preventing pregnancy and according to the Islamic edict of your Eminence (the issue of placing the I.U.D. – Question ۱۵۸۸۲/۱), we have been able to deduce that this is one of the .permissible methods

At present, there are close to half a million women in our country who are making use of this method and most of these women, for various reasons, are not able to make use of the

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Ayatullah Khamene'i, Islamic Medical Issues -۱

Ayatullah Khamene'i, The Medical Opinions within Ijtihad, Page ۹۹ -۲

.other methods of birth control

This item must be put into the womb of the woman by either a midwife or a .gynecologist

Keeping in mind that placing the I.U.D. inside the womb of the woman would necessitate directly looking at the reproductive organs of the woman, please let us ?know what the religious ruling is in this issue

Answer ۶: In its self, this action is not a problem however one must refrain from any (sort of forbidden touching or looking.(۱

Question ۷: In relation to using the I.U.D. which works by preventing the fertilized egg from implanting itself on the wall of the womb – is it permissible according to the ?Islamic regulations to use this method or not

Answer ۷: Any time the individual or societal needs necessitate this (form of (population control), it is not a problem.(۲

Question ۸: With respect (to you). Through this letter we request your noble presence that: after releasing a ruling from the office of the Supreme Leader in relation to one of the methods of family planning, it was stated that it was prohibited to place an .instrument (inside the woman) – even if this is done by a woman

However the policies put forward by the Ministry of Health and Medical Education are .based on propagating the use of this method for family planning

Please clearly explain what your noble and blessed opinion is in relation to this and also let us know what the responsibility

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Ayatullah Khamene'i, Religious Enquiry from the office of the Leader –۱

Ayatullah Makarim Shirazi, Islamic Medical Questions –۲

.of those people who work in this field are

Answer ۸: Anytime it does not necessitate a forbidden look or touch, then it is not a problem except if the individual or societal needs necessitate it.(۱)

Question ۹: Is it permissible to use the I.U.D. in the womb of the woman to prevent ?pregnancy

Answer ۹: From the point of view of preventing pregnancy – as long as the wife and husband are both in agreement (with this method), then it is not a problem.

However if it necessities a stranger looking at the private parts of the woman, then it is problematic even if the doctor who is responsible for this task is a woman.(۲)

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The Noble Prophet (blessings of Allah be upon him and his family) has said, "The best of women is that woman who when she gets upset, or when her husband gets upset with her, she says to her husband, 'I am placing my hand in your hand, and I will not allow myself to go to sleep until you are happy with me (again).'"

Bihar al-Anwar, Volume ۱۰۳, Page ۲۳۹, Hadith ۴۵

Enquiries from the Religious Authorities in Regards to Tubal Ligation (Tubectomy) for Women

Question ۱: I am a ۳۱ year old woman who has four children. It has been some time now that I have been suffering from a sore back and other medical issues such that I am not able to do a lot of work and thus, I am forced to rest which is not always possible for me. The doctors have told me that

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۱- Ayatullah Makarim Shirazi, Islamic Enquiry Number ۱۹۰۰۴

۲- Ayatullah Fadhil Lankarani, Medical Issues

.I must do something so that I do not become pregnant again

In my example and with the conditions given, is it permissible for me to have my tubes ?tied keeping in mind that my husband is content with this, or not

Answer ۱: If this act does not result in any defect in the private part or becoming (permanently sterile, then it is not a problem.(۱

Question ۲: The act of tying the tubes of the womb results in the permanent sterilization (of the woman). The only way that it would be possible to once again become pregnant would involve delicate microscopic surgery which can be performed in well-equipped medical centers at which point, the possibility of once again .becoming pregnant even in the best of medical centers of the world is ۵۰٪

Keeping the above mentioned points in mind, is it permissible for a healthy woman to ?have her tubes tied

(Answer ۲: In the example given in the question, it is not permissible.(۲

Question ۳: Are reasons such as: economic or social problems, (a large) number of children (in the family) or the age of the woman reasons for having a permanent form ?of birth control or for abortion

(Answer ۳: That which has been mentioned is not permissible.(۳

Question ۴: Is a permanent method of preventing a pregnancy in the case of illness in which pregnancy would be dangerous to the woman's life and in which both the physical and mental welfare and well-being of the woman

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(Imam Khumayni (may Allah be pleased with him -۱
(Imam Khumayni (may Allah be pleased with him -۲
(Imam Khumayni (may Allah be pleased with him -۳

?will – even in the future – not be favourable, permissible

In other words, if the doctor has necessitated that the woman should never become pregnant (as far as he can tell from his research), then in this situation, is it ?permissible to have one's tubes tied

Answer ۴: If this method to prevent an (unwanted) pregnancy is permanent, then it is not permissible however in other than this event, if it is due to a danger related to (one's life, then it is not a problem.(۱

Question ۵: Is it permissible to engage in permanent birth control for women who are likely to having physically deformed children or a hereditary physical or mental disease (especially those which have been made apparent through previous ?(pregnancies

(Answer ۵: It is permissible.(۲

Question ۶: Is it permissible to engage in permanent sterilization and to remove all ?chances to become pregnant for women who are healthy

Is it permissible for a healthy woman to have her tubes tied which would result in ?permanent sterilization so as to prevent pregnancy

Answer ۶: In the event that it is done for a permissible reasonable cause and there is no considerable harm involved init, then as long as one has the husband's approval, it (is not a problem.(۳

Question ۷: Are economic difficulties a reason for a person to go forth for permanent ?sterilization or for an abortion

Answer ۷: Simply having societal problems or other sorts of problems or due to having a (large) number of children and

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(Imam Khumayni (may Allah be pleased with him –۱

(Imam Khumayni (may Allah be pleased with him -۲

Ayatullah Khamene'i, Islamic Medical Issues -۳

the age of the spouses and other things such as this are all not complete and logical criteria (for permanent sterilization or an abortion). And it is not permissible to abort a (fetus for the excuses that have been mentioned.(١

Question ٨: Is the permanent method of preventing a pregnancy in the case of illness in which pregnancy would be dangerous to the woman's life and in which both the physical and mental welfare and well-being of the woman will not be favourable even ?in the future, permissible

Answer ٨: In the example given in the question, it is not a problem. Rather, if there is a danger of losing the life of the mother, then it is not permissible for the woman to (become pregnant.(٢

Question ٩: Our question is in relation to women who suffer from psychotic illnesses or an intense form of insanity for whom it is not possible to make use of methods of birth control such as ejaculation outside of the woman or birth control pills and who if they .were to become pregnant, they would not have the ability to take care of their child

?Is the doctor permitted to go forward and permanently sterilize such women

(Answer ٩: The doctor does not possess the authority to go ahead with this.(٣

Question ١٠: Is it permissible to engage in permanent birth control for women who are prone to having physically deformed children which has been made evident from their ?previous pregnancies

:Answer ١٠

Ayatullah Khamene'i, Islamic Medical Issues -١

Ayatullah Khamene'i, Islamic Medical Issues -٢

Ayatullah Khamene'i, Islamic Medical Issues -٣

In and of itself and with the permission of the husband, there is no problem in this act, (however one must make sure to refrain from any forbidden acts related to this.(١)

Question ١١: If several doctors tell a woman that in the event that she becomes pregnant, there is a danger to her life, then is the woman permitted to have her tubes tied even though this act would result in her permanent sterilization and would also necessitate a foreigner looking at her private parts? Are these examples of necessity?

Answer ١١: If the doctor who is a specialist (in this field) tells this to the woman and she develops certainty from what he has told her, then it is not a problem and it is permissible for a foreigner to look (at the private parts of another person) in the case (of a necessity and where there is no other option available.(٢)

Question ١٢: In relation to the issue of population control and managing a family, across the country there are some women and men who are volunteering to – with a written letter of consent of their spouse – have their tubes tied (and have a vasectomy) to prevent pregnancy. We would be grateful if you could provide us with the Islamic ruling regarding this.

Answer ١٢: Having one's tubes tied to prevent having children as in the example of the (question given, in and of itself is not a problem.(٣)

Question ١٣: In the event that

١- Ayatullah Khamene'i, The Medical Opinions within Ijtihad, Page ١٠۴

٢- Ayatullah Fadhil Lankarani, Medical Issues

٣- Ayatullah Sane`i, Islamic Medical Questions

permission is given for a woman or man to have their tubes tied or for a vasectomy, ?which of these two has the right to go ahead with such an operation

Answer ۱۳: Which ever (of these two) has the right of their own selves – in which the Religion has permitted them to exercise that right. Yes, the woman is not permitted to do anything which would prevent her husband from having complete sexual pleasure from his wife without his permission. And as for having the tubes tied, it is better that the permission is taken, however as for who should go first in this (operation), it is not .clear

?Question ۱۴: What is the ruling on having one's tubes tied to prevent a pregnancy

(Answer ۱۴: As long as it is not essential (to have this done), it is not permissible.(۱

Question ۱۵: What is the opinion of the sacred teachings of the religion of Islam in ?relation to having the tubes tied to prevent various sorts of sicknesses

Answer ۱۵: Any time that there is no possibility of reversal (of this operation), it is not permissible. In the event that it is reversible, then it is permissible (with the condition that there is some individual or societal needed that compels one to go through with (.this operation

Question ۱۶: In those instances in which as a result of having twins there is a chance of their being physical defects in the child or a genetic illness – is it

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۱- Ayatullah Makarim Shirazi, Islamic Medical Questions

permissible for the woman to have her tubes tied or for the man to have a vasectomy ?to prevent future pregnancies

Answer ۱۶: Any time that there is a fear of danger or a hazard which can be observed ((for either of the spouses) or even in relation to the child, it is permissible.(۱

Question ۱۷: Is the woman permitted to go ahead with having her tubes tied without ?her husband's permission

(Answer ۱۷: If this act is not a necessity, then it is not permissible.(۲

Question ۱۸: Keeping in mind that according to the most authentic sources in relation to those mothers who have been pregnant more than five times and who are also getting up in age and are ۳۵ years old, if they become pregnant again, then there will be a physical danger to them (dangerous pregnancy). Is such a woman permitted to ?have her tubes tied

Answer ۱۸: If there is a definite danger or even a very strong probability, then it is (permissible.(۳

Imam `Ali (peace be upon him) has said, "Women are a trust from Allah in your hands ".thus, do not permit any danger from reaching them and do not be strict with them

Mustadrak al-Wasa`il, Volume ۱, Page ۲۵۱, Hadith ۷

Enquiries from the Religious Authorities in Regards to Vasectomies for Men

Question ۱: Lately, a medical procedure has come around for men in which they tie a knot in the tube which brings forth the sperm such that when they have intercourse with their wife, the sticky liquid (that always comes out with the sperm) is the

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۱- Ayatullah Makarim Shirazi, Islamic Medical Questions

۲- Ayatullah Makarim Shirazi, Islamic Medical Questions

۳- Ayatullah Makarim Shirazi, Islamic Medical Questions

only thing released. Please explain to us what the ruling is for the nocturnal emission ?that such a man would have in which no sperm is released

Answer ۱: If without any relations, some wetness comes out of a man during his sleep or when awake and it does not have the characteristics of sperm, then he will not have the ruling of being in a state of Ritual Impurity (Janabat) except if he has (certainty that it was indeed sperm that came out of him.(۱

Question ۲: One of the ways being used within the society at present and which is even being done free of charge by the Ministry of Health and Medical Education and is done at the cost of the government is the medical operation known as the Vasectomy .((tying the tubes that carry the sperm in men

According to the research that has been done on this procedure, the specialists have .stated that if this operation is done, there is a ۱۰٪ to ۱۵٪ chance of it being reversible

Thus, keeping this point in mind, what is the religious ruling of having this operation ?((vasectomy

One of the other methods that is also being used for family planning and to control the population is for the woman to have her tubes tied. What is the religious ruling on this ?act as well

Answer ۲: It is permissible to tie the tubes that carry the sperm in the man and to also tie the

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Ayatullah Khamene'i, Islamic Medical Issues -۱

woman's tubes – if it is done for a logical reason, is not permanent and does not lead to any dangers. There is no religious prohibition for the woman - with the permission (of her husband - to have her tubes tied.(۱

Question ۳: Is there any problem with a man, on his own will, having a vasectomy which would result in him being sterile and which has been said to be irreversible? Is it ?necessary to have the wife's approval before it is done

Answer ۳: In and of itself, this act is not a problem, however one must make sure that no forbidden touching or looking is done. Also, it is not necessary for the man to have (the approval of his wife.(۲

Question ۴: Is the religious permissibility to have a vasectomy or to have one's tubes tied in order to maintain population control and to prevent an uncontrollable population growth based on the principle of "Hukm-e-Thanawiyyiah"(۳) (Islamic Government) and if the necessity (population control) is lifted, does this permissibility ?become void

(Answer ۴: This ruling is not one based on the Islamic Government.(۴

Question ۵: What is the ruling on men having vasectomies to control the population (growth)? Keeping in mind that a percentage of those people who go through this operation are once again (with another operation) able to have children due to the .advances in medicine and this percentage is on the increase

Answer ۵: If it becomes an individual or societal necessity, then it

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Ayatullah Khamene'i, Islamic Medical Issues -۱

Ayatullah Khamene'i, The Medical Opinions within Ijtihad, Page ۱۵۱ -۲

The term Hukm-e-Thanawiyyiah is a term used in Islamic Jurisprudence which can -۳ be translated as the "secondary ruling" which basically means the "except to the rule" or a ruling that can – for various reasons – overrule the primary ruling. In this

question, that which acts as the secondary ruling is the formation and establishment of an Islamic Government (Iran) which is ruled by the Islamic commandments under the guidance of a competent Islamic leader. Thus, if the leader of the Islamic nation decides that due to a particular reason such as if the needs of the society dictate that an Islamic legislation is temporarily put on hold, he has the power to do so. (Tr.)

۴- Ayatullah Khamene'i, The Medical Opinions within Ijtihad, Page ۱۰۲

(is permissible.(١)

Question ۶: In the event that it is permissible for either the man or woman to have their tubes tied, which of these has the right to go forth first (for this operation)?

Answer ۶: In the event that they (the spouces) are equal in the circumstances (the man has the ability to have the operation and he has also given his wife the permission), then it is not improbable that the man would take precedence.(٢)

Question ٧: What is the ruling on men having vasectomies to control the population? Keeping in mind that a percentage of those people who go through this operation are once again (with another operation) able to have children due to the advances in medicine and this percentage is on the increase.

Answer ٧: There is no Islamic regulation to prevent this.(٣)

Abortions

point

Rule ١: In Islam, it is forbidden (haram) to abort the fetus and if this is done, it would result in the Diyah(۴) having to be paid. The Diyah is the responsibility of the person who was in charge of carrying out the abortion.

If the doctor was to perform it through an operation or by injecting some medication into the woman and through this act of his, the child was aborted, then he is responsible.

If it was the mother herself who ate some pills or was to use something else that the doctor prescribed for her to take, then the mother would be responsible.

If the

١- Ayatullah Makarim Shirazi, Islamic Medical Questions

Ayatullah Makarim Shirazi, Islamic Medical Questions -۲

Ayatullah Sane`i, Islamic Medical Questions -۳

(.Blood money/ransom (Tr -۴

father did not know about this taking place, then the Diyah would have to be paid to him. However if the father knew about it and approved of it, then the Diyah is the responsibility of both the mother and father and the Diyah must be given to the indirect inheritor of that fetus.

Rule ۲: If the child was to die while in the womb of the mother, then it is obligatory to remove it from the womb.

Rule ۳: If the pregnancy is a danger to the life of the mother or would result in her become handicapped, then it is permissible for her to abort the child before the time when the soul has been infused into the body.

However it is not permissible to abort the child once the soul has come into the body and the fetus starts to move (inside the womb) and the mother must carefully watch over and give special attention to the child inside her and must make sure that it is brought into the world at the appropriate time.

Rule ۴: If the child which has been aborted was four months old or more, then it must be given the Ghusl-e-Mayyit(۱) and must also be provided with a Kafan (burial shroud) and must be buried. In addition, anyone that touched the body of the child (such as the mother, grand mother, or others who were taking care of the mother) must perform a Ghusl of Mass-e-Mayyit.

If the child

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۱ - This ceremonial bath must be performed if a person touches the dead body of another person after the body has become cold and the corpse itself has not been given the ceremonial bath. (Tr.)

was less than four months old, then it must be wrapped in cloth, and without giving it a Ghusl, it must be buried. If anyone has touched the body of the child, then it is better that they too perform the Ghusl (of Mass-e-Mayyit).

Islamic Medical Issues

Enquiries from the Religious Authorities in Regards to Abortions

Question ١: A woman became pregnant one and a half months ago and the doctors have told her that her life is in danger if she remains pregnant and that she will become paralyzed. Is it permissible for this woman to have an abortion, or not?

Answer ١: If there is a hazard or danger to the life of the mother, then it is permissible to have an abortion before the soul is infused into the fetus.(١)

Question ٢: In the event that the age of the fetus is more than four months and continuing the pregnancy is a hazard to the life of the mother, is it permissible to have a medical abortion (ending of the pregnancy)?

Answer ٢: It is not permissible (to have an abortion) after the soul is infused into the body.(٢)

Question ٣: In the event that the age of the fetus is more than four months, however a sickness in the mother has advanced quite a bit such that the continuation of her pregnancy would result in a definite loss of life for the mother, is it permissible to abort the pregnancy?

Answer ٣: This issue has the same ruling as the previous question (once the soul has been transfused into the

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١- Imam Khumayni (may Allah be pleased with him), Islamic Medical Issues

٢- Imam Khumayni (may Allah be pleased with him)

(body, it is not permissible).(۱)

Question ۴: In the event that there is a possibility that the mother would succumb to a natural or acquired physical, mental or psychological problem in relation to her becoming pregnant (for example the various types of hereditary illnesses or those which would result from products (used), medicine, x-rays, etc...), is she permitted to ?make haste in aborting the child

From the point of view of the age of the fetus being more than four months or less ?than four months, is there a difference in the ruling

If one of the defects as was mentioned is confirmed (to occur), then is it permissible to ?have an abortion

Answer ۴: It is not permissible to abort the fetus and it makes no difference (in any of (the scenarios given).(۲)

Question ۵: In the event that it is possible that there would be some form of defect in the fetus, is it permissible to go forth with aborting the child? And in this issue, is there ?any difference if the fetus is younger or older than four months

Answer ۵: In the examples mentioned, there is no Religious sanction for aborting the fetus and in relation to the forbidden nature of the abortion from the point of view of the Islamic legislation, there is no difference if the fetus is younger or older than four (months.(۳)

Question ۶: What is the ruling on performing an abortion on women who are sick and are taking medication such as Lithium

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۱- Imam Khumayni (may Allah be pleased with him)

۲- Imam Khumayni (may Allah be pleased with him), Religious Enquiries

۳- Ayatullah Khamene'i, Islamic Medical Issues

?which one day, may affect the child

(Answer ۶: It is not permissible.(۱

Question ۷: What is the ruling in relation to having an abortion for women who are badly afflicted with psychological illnesses in which there is a possibility that their ?sickness may be passed on to the fetus

(Answer ۷: It is not permissible.(۲

Question ۸: What is the ruling on having an abortion when after tests and examinations are carried out in which it is made known that the fetus has some ?seriously un-normal defects

(Answer ۸: It is not permissible.(۳

Question ۹: After many years, a couple was finally able to have a child however in the :first few months of the pregnancy the doctors were able to diagnose that

a) If the pregnancy continues, there is a possibility of danger to the (life) of the .mother

.b) If the pregnancy continues, then the child will come into this world with defects

Thus, the doctors ordered that an abortion must be done – is it permissible to act ?according to the opinion of the doctors

Answer ۹: Simply having a possibility that the fetus will be born with defects is not an .Islamic justification to abort the child

However, if one is satisfied that there is fear for the life of the mother in the opinion of the doctor who is a specialist, then there is no problem in aborting the child before the (soul has been infused into the fetus.(۴

Question ۱۰: Is it permissible to engage in an abortion for

۱- Ayatullah Khamene'i, Islamic Medical Issues

۲- Ayatullah Khamene'i, Islamic Medical Issues

۳- Ayatullah Khamene'i, Islamic Medical Issues

۴- Ayatullah Khamene'i, Islamic Medical Issues

medical reasons in the following examples before the soul has been infused into the ?fetus

a) Illnesses that we know for sure will result in the death of the child after birth - .keeping in mind that such estimations are not definite

.b) Genetic illnesses

((c) Physical deformations in the child (such as Anencephaly(1)

Answer ١٠: It is problematic to have an abortion in the examples given above (especially seeing as how the predictions are not definite.(2)

Question ١١: At what time is the soul infused into the body? What is the ruling in the above mentioned examples about having an abortion if it is done before the soul is ?infused into the body

Answer ١١: This is the time when the child who is in the womb of the mother starts (moving which is normally around the fourth month.(3)

Question ١٢: In relation to the pregnant woman who has been diagnosed with uterine cancer whose treatment is through radiation therapy, and as it is known that going for radiation therapy would result in the deformation of the fetus - is it permissible to ?abort the fetus before one starts the radiation therapy

(Answer ١٢: It is problematic.(4)

Question ١٣: It is common in women who are pregnant and who are also diagnosed with cancer (such as breast cancer) that if their cancer has progressed that in which ever stage of the pregnancy they are in, the fetus is aborted and they go forth with curing the mother and this is done for two reasons: the first

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Congenital absence of most of the brain and spinal cord -١

Ayatullah Makarim Shirazi, Islamic Medical Questions -٢

۳- Ayatullah Makarim Shirazi, Islamic Medical Questions

۴- Ayatullah Makarim Shirazi, Islamic Medical Questions

is since the life of the mother is in danger and the second reason is because if they were to permit the pregnancy to continue, the mother would die, and the child would then come into this world without a mother and as we know, the child is in need of the .love of the mother

If the cancer is in its early stages and if the pregnancy is in the final stages, then they would wait until the fetus reaches to such a stage that it would be able to live (on its own). At this point through an operation, they would take the child out of the mother's womb and bring him into the world sooner than his expected due date and would .keep him under close, special supervision until he develops

If the pregnancy was in the early stages, then it would be aborted and thus in this way, the curing of the cancer would also have a better chance of working (of course .(either through chemical therapy or radiation therapy

?Is the explanation given above in line with the rulings of Islam or not

Answer ۱۳: If the life of the mother is in danger and the fetus has passed through the first few months, then it is not a problem. Also, it is not a problem to have the child (born before its due date and taking care of it in these special circumstances.(۱

Question ۱۴: Is it permissible for women who are

۱- Ayatullah Makarim Shirazi, Islamic Medical Questions

sick and who if they continue their pregnancy, a conflict between the life of the mother and that of the fetus would develop - and in addition, the age of the fetus if more than four months, however the state of the fetus at the age is such that it does not have the ability to live outside of the womb of the mother and after the death of the mother, the child too would die. In order to save the life of at least one individual, ?meaning the mother – is it permissible for this pregnancy to be ended

Answer ۱۴: One must wait until the final moments to protect the life of the mother, and if at that time there is still no possibility of saving the life of the fetus, then it is not a (problem to abort it in order to save the life of the mother.(۱

?Question ۱۵: What is the Islamic ruling in regards to abortion

Answer ۱۵: It is not permissible to abort the fetus after the soul has his infused into it regardless of the reason. It is also not permissible even before the infusion of the soul except if the life of the mother is in danger or if there is some sickness that the mother would not be able to withstand if the child remains in the mother's womb. In any of (these two events, it is not a problem to abort the fetus.(۲

Question ۱۶: Can you please explain to

Ayatullah Fadhil Lankarani, Islamic Medical Questions -۱

Ayatullah Fadhil Lankarani, Islamic Medical Questions -۲

?us the scenarios in which it is not a problem to terminate a pregnancy

:Answer ۱۶: Aborting the pregnancy is permissible in the following circumstances

a) If according to the observations of the specialist whose word one has confidence in, the continuation of the pregnancy would result in the death of the fetus and the mother – both of them. However if the child was to be aborted, then the mother would .stay alive

b) If the soul has not yet been infused into the fetus and according to the observations of the specialist whose word one has confidence in, if the fetus was to remain inside the mother, then it would pose a danger to the life of the mother or would result in a .danger or pain that the mother would not be able to withstand

c) If the soul has not yet been infused into the fetus and the pregnant woman has certainty that without aborting the fetus, she would face mental or physical difficulties and problems and would fall victim to great difficulties and troubles. In this event, it is .also not improbable that to abort the fetus would not be forbidden

In addition, in all of these instances, if the abortion does goes forth, the Diyah and the Kaffarah(۱) would be required and would be the responsibility of the person who (performed the abortion.(۲

Question ۱۷: If a pregnant woman goes to her doctor and the doctor aborts the child, would the doctor have the Qasas (Islamic

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(.Penalty (Tr -۱

Ayatullah Fadhil Lankarani, Islamic Medical Questions -۲

?punishment for murder) applied to him

(Answer ۱۷: No, rather, he would have to pay the Diyah.(۱)

Question ۱۸: If a group of doctors tell a woman that the child that she has in her womb is underdeveloped from the point of view of its mental capacity or physical body, is the ?woman permitted to abort the child or do something else so that she loses her child

(Answer ۱۸: No, it is not permissible.(۲)

Question ۱۹: What is your opinion in specific regards to a woman who is one and a half :months pregnant and wants to abort her child, keeping in mind the following points

a) She had four children one after the other with a gap for only breast feeding (each of .(them

.b) She has gone through caesarian section for three of her four children

c) She has psychological problems to such an extent that most of her time at night is spent crying and weeping which results in her entire family being upset at seeing her .like this

d) She had gone for some sort of birth control, however this child as well as two of her other children were unwanted pregnancies and thus, even though she was using .some form of birth control, she still became pregnant

e) The guardian of these children (her husband) is also in agreement with this .((abortion

In the event that it is permissible (for her to have an abortion), please let us know what the amount of the Diyah would be. Both of them (the mother and

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۱- Ayatullah Fadhil Lankarani, Islamic Medical Questions

۲- Ayatullah Fadhil Lankarani, Islamic Medical Questions

(father) are followers of Imam Khumayni (may Allah be pleased with him

Answer ۱۹: Keeping in mind the difficulties that were mentioned in the letter such as the operations, the caesarian section and the psychological trauma and other things – since this scenario is one which is an indication of a difficulty which is unbearable, it can not be said that aborting this fetus before it is four months old would be haram .(forbidden) or a sin

Rather, due to the ruling of it being unbearable, the prohibition is lifted and it is permissible (to have the abortion) and the Diyah is upon the person who actually .performs the abortion and it must be given to the inheritors of that fetus

Thus, if the abortion is performed by an injection, then the Diyah is upon the person who gave the injection. If the abortion is through pills and the use of medication, then it (the Diyah) is upon the mother herself who has taken the medicine and in this case, since the mother herself is the one who performed the abortion, she would not be .entitled to receive any of the inheritance

In any case, if the abortion is performed with the consent of the father and mother and what has been stated in the first scenario (done by an injection) and if in the second scenario, the father forgives (the Diyah) (where the mother has performed .the abortion), then the Diyah would not be liable

Question ۲۰: The Present

:Organization of Doctors of Iran in a letter to the Courts of the city of Qum

We testify that Mrs.__________ the daughter of __________ owner of the attached signed photo mention that due to her own desire and that of her husband, Mr.__________, they have requested an examination to go through with a medical :abortion for the following reasons

The above mentioned woman is ١½ months pregnant and since she has a great deficiency in her aorta valve, she has gone for a transplant of this valve and through the examination of the specialists and the medical advisors, it has been confirmed .that the continuation of her pregnancy will be life threatening for her

Can you permit the medical abortion in one of the Medical Centres through a female ?medical specialist and midwife

Answer ٢٠: Even though it is completely forbidden to have an abortion and it is considered as a sin and if it is performed after the fourth month, it is classified as the .killing of a person and in no way can it be permissible

However, if it is done before four months with the supposition that the pregnancy would cause difficulty and strain – which has been deduced from the letter – the prohibition is lifted and the (Islamic) Judge can give the ruling on it being permissible ((to have an abortion).(١

Question ٢١: By having a sonogram of the fetus that is inside the stomach of the mother, it is made known that the child

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١- Ayatullah Sane`i, Islamic Medical Questions

is physically disabled. After birth, he will be like a stick of meat that will be left aside and will not be able to do anything productive and will also have no sort of intelligent :understanding or perception. Thus, please let us know

a) Is it permissible to abort the fetus in the state that it is (before the soul is infused ?(into the body or even after the soul is placed in the fetus

b) If this child comes into the world and then becomes sick, is it permissible to not go for any sort of medical treatment so that it will die sooner and thus, will be freed from ?the pain and suffering

Answer ۲۱: In reply to questions 'a' and 'b', it is not permissible and Allah knows (best.(۱

Question ۲۲: If the doctor realizes that the fetus that is in the womb of the mother has a physical defect and if he was to inform the parents of this, then there is a very strong possibility that they would go forth to abort the child and there is a very small possibility in relation to the curing of the physical defect of the fetus. And if he does not tell the parents, then the parents will complain to him that they were not informed .of the health of the child

?Please let us know what is the responsibility of the doctor in this case

Answer ۲۲: Since he does not know that they would go forth with an abortion

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۱- Ayatullah Safi Gulpaygani, Islamic Medical Issues

since there is a possibility that they may try and find some cure (for the child), thus, it is permissible to tell them and if they (the parents) go forth and abort the child, then (the one who is responsible (for this act) would be the one who actually performs it.(۱)

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Imam as-Sadiq (peace be upon him) has said, "Allah has made Jihad obligatory upon men and women. Thus, the Jihad for the man is that he gives up his wealth and his life in the way of Allah and gets killed (on this path). The Jihad for the woman is that she has patience with the harassment and pride of her husband."

Wasa`il ash-Shi`a, Volume ۱۴, Page ۱۱۱, Hadith ۲

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Rule ۱: Aborting the fetus after it has been transformed into a human being with a soul in the womb is a very grave sin and it is considered as killing a person and all of the Islamic regulations in relation to Qasas (the penalty for murder), the Diyah and the Kaffarah would be applicable.

Rule ۲: Aborting the fetus before it has been transformed into a human being with a soul in the womb is not classified as the killing of a person and thus from this viewpoint, it is not forbidden (haram). However, if this act is not carried out with the consent of the father and mother, then it is an act of oppression to both of them or to one of them.

It is sufficient

۱- Ayatullah Safi Gulpaygani, Islamic Medical Issues

to state that within the teachings of Islam, according to the ahadith (narrations) and that which has been mentioned, a Diyah has been specified for this act. Apparently, that which we can tell is that the Diyah would have to be paid by the person who carried out the abortion - of course in the event that it was done without the .permission of the parents

Rule ٣: It is obligatory upon the leader of the Muslims to make sure that except under .special circumstances, this act is not carried out

Of these special circumstances, we can mention the following: where the betterment of the society or the betterment of the mother is involved or when preserving the laws of Allah as has come to us from the Prophet through the Book (Quran) and the (Sunnah (his example) which would necessitate this act.(١

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The Noble Prophet (blessings of Allah be upon him and his family) has said, "It is not recommended for a woman that she force her husband to do things which are beyond his capability and it is also not recommended that she complain to any of the creatures of Allah, The Noble and Grand, about her husband – whether this person be ".a close family member or an outsider

Mustadrak al-Wasa`il, Volume ١۴, Page ٢٣٨, Hadith ٢۴٢٢

The Noble Presence of the Protector and Grand Marja' of the Shi`a, Ayatullah al-`Uzma Imam Khumayni

In His Name, the Most High

Question: With greetings and respect to you. It is common place that in order for women to prevent unwanted pregnancies and in order to

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Ayatullah Shahid Beheshti, Health and Family Planning, Page ٢٠٣ -١

avoid having an abortion when their life is in danger, with the consent of their husband, they use medication or things such as birth control pills, I.U.D. (an item that is inserted into the womb), cervical cap, diaphragm, creams, jells and injections – all of which prevent the meeting and fertilization of the egg.

Men too, with the consent of their wives, make use of the condom (a plastic covering) and also employ the method of coitus interruptus (to prevent an unwanted pregnancy).

We would like to know what the Islamic ruling is on these things that we have mentioned in our letter.

And may the peace and mercy of Allah and His blessings be upon you.

Ali Akbar Ridha`i Ashtiyani`

Authority on Planning and Population

Ministry of Public Health and Safety

Answer: As long as in the examples given, there is no chance of danger or it will not lead to a defect of the private parts and the husband approves of it, then it is not a problem.

The Noble Presence of the Protector and Grand Marja' of the Shi`a, Ayatullah al-`Uzma Najafi Mar`ashi

In His Name, the Most High

Question: With greetings and respect to you. It is common place that in order for women to prevent unwanted pregnancies and in order to avoid having an abortion when their life is in danger, with the consent of their husband, they use medication or things such as birth control pills, I.U.D. (an item that is inserted into the womb), cervical cap, diaphragm, creams, jells and injections – all of which prevent the meeting and

.fertilization of the egg

Men too, with the consent of their wives, make use of the condom (a plastic covering) and also employ the method of coitus interruptus (to prevent an unwanted .(pregnancy

We would like to know what the Islamic ruling is on these things that we have .mentioned in our letter

.And may the peace and mercy of Allah and His blessings be upon you

Ali Akbar Ridha`i Ashtiyani`

Authority on Planning and Population

Ministry of Public Health and Safety

.Answer: It is permissible

[Seal and Signature]

Mar`ashi Najafi

The Noble Presence of the Protector and Grand Marja' of the Shi`a, Ayatullah al-`Uzma Gulpaygani

In His Name, the Most High

Question: With greetings and respect to you. It is common place that in order for women to prevent unwanted pregnancies and in order to avoid having an abortion when their life is in danger, with the consent of their husband, they use medication or things such as birth control pills, I.U.D. (an item that is inserted into the womb), cervical cap, diaphragm, creams, jells and injections – all of which prevent the .meeting and fertilization of the egg

Men too, with the consent of their wives, make use of the condom (a plastic covering) and also employ the method of coitus interruptus (to prevent an unwanted

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Ali Akbar Ridha`i Ashtiyani`

Authority on Planning and Population

Ministry of Public Health and

p: ۵۱

Safety

Answer: In the event that making use of the things mentioned would result in danger to the body of the woman or her sterilization, it is not permissible. If there is no danger involved and it is only a temporary means to prevent pregnancy, then there is no problem (in using these methods). And Allah knows best.

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Imam Kadhim (peace be upon him) has said, "The Jihad of the woman is to take care of her husband and to act with him in a good way."

Wasa`il ash-Shi`a, Volume ۱۴, Page ۱۱۵, Hadith ۲

The Noble Presence of the Protector and Grand Marja' of the Shi`a, Ayatullah al-`Uzma Shirazi

In His Name, the Most High

Question: With greetings and respect to you. It is common place that in order for women to prevent unwanted pregnancies and in order to avoid having an abortion when their life is in danger, with the consent of their husband, they use medication or things such as birth control pills, I.U.D. (an item that is inserted into the womb), cervical cap, diaphragm, creams, jells and injections – all of which prevent the meeting and fertilization of the egg.

Men too, with the consent of their wives, make use of the condom (a plastic covering) and also employ the method of coitus interruptus (to prevent an unwanted pregnancy).

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Ali Akbar Ridha`i Ashtiyani`

Authority on Planning

p: ۵۲

and Population

Ministry of Public Health and Safety

Answer: Using birth control pills and injections and other things such as this or even the cervical cap or anything that would prevent the fertilization of the egg and in addition, using the condom – either with or without the consent of the wife or .husband, is not a problem

However, using anything that would result in the sterility of the man or the womb of the woman, either with or without the consent of either side (the husband or the wife) .is forbidden (haram). And Allah knows best

Opinion of the Scholars and Jurisprudents of the Ahl As-Sunnah in relation to Family Planning

point

Rule ١: The first fatawa (Islamic ruling) in relation to the prohibition of any form of birth control to prevent pregnancy given within the Islamic countries was on the ٢٩th of January, ١٩٣٧ from Shaikh `Abdul Hamid – the great Mufti of Egypt. In this letter which was a response to a question as to what the opinion of Islam is in regards to birth control and abortion from the point of view of medicine and society, it was :answered

a) Both the husband and the wife have the choice of preventing pregnancy due to medical reasons or societal issues through any preventative way and it is not a .condition to have the consent of the other side

b) It is permissible to use medicine and other measures which would result in the abortion of the fetus up until the ١۶th week (four months) of the pregnancy with the condition that it has

been recommended (to the woman) that it is necessary to abort the fetus and as long as the life of the mother is not put into danger (by use of the medicine or other measures).

c) All the leaders of the religion are in agreement that after this time period has passed, the abortion is not permitted to take place under any circumstances.

Those scholars who have been named in the fatawa are of the Hanafi(1) school of thought who confirmed this ruling and believe that it is permissible for a woman to have her tubes tied in such a way that the sperm of the man would not be able to reach to the egg.

Just as can be seen, not only did the Great Mufti of Egypt permit the various forms of birth control to prevent pregnancy before the act of conception, rather, he has even permitted abortions to take place within the first four months of the pregnancy. In addition, he has not considered the agreement of both sides (the husband and wife) as being necessary.

Thirteen years later, (in March of ۱۹۵۳), it was written:

The Fatawa Committee of Al-Azhar University have given a revised opinion:

According to the opinions of the Shafi`i Madhab, it is not forbidden to use medicine to prevent pregnancy.

"Surely Allah wishes ease for you and does not wish difficulty upon you."

Surah al-Baqarah, Verse ۱۸۵

Imam Ridha (peace be upon him) has said, "It is not recommended for a man that to refrain from using

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1- The Ahl as-Sunnah are divided into four main Schools of Thought – the Hanafi, Hanbali, Maliki and Shafi`i.

".perfume every day

Wasa`il ash-Shi`a, Volume ١, Page ۴۴١, Hadith ٢

Allamah Khalid Muhammad Khalid`

In the book entitled, "We Start From Here", he has stated the following opinion that: "This issue must be made completely clear to the people that not only is an uncontrolled increase in population not something that can not be praised, rather, from the point of view of the society and economy is actually something very dangerous. Unfortunately, the Islamic nations have not been able to fully grasp this societal issue and it is because of this, that we are now forced to announce the .correct view of Islam on this issue

The teachings of Islam – whether they be from the point of view of the benefit of the individual and whether they be in relation to the over-all well being of the society - state that family planning is something which is necessary. According to the Islamic teachings, any sort of population growth which is not in accordance with the economic growth and the planning and management of the society is actually considered as a ".trial and punishment from the Divine

The Late `Allamah Mahmud Shaltut

The rector of the Al-Azhar University in Egypt had written in his book, under the topic of, "The View of Islam and Family Planning" that: "The religion of Islam has never desired to make the society weak, rather, it has desired to bring forth a safe and ".powerful nation and the only way that this is possible is through family planning

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The Noble Prophet of Islam (blessings of Allah

be upon him and his family) has said, "Have modesty in relation to other women (when you deal with them) so that when others deal with your women, they too show ".modesty

Mustadrak al-Wasa`il, Volume ۱۵, Page ۱۷۴, Hadith ۵

Respected Administrator of the Center for Health of Gunbud Kawwus Province, Engineer Larijani

In His Name, the Most High

,Peace be upon you

With respect – in relation to the answer that was given to letter number ۴۶۸۵۱ on the date ۱/۷/۱۳۶۹ from your office in relation to question asked in regards to keeping a gap between the birth of two children through making use of the instruments that prevent .pregnancy according to the beliefs of the Hanafi school of thought

By carefully reviewing the books in relation to this topic, we make the following :announcement

Keeping a gap between the (delivery of) two children – if it is done with the consent .۱ of the wife and the husband and is done through the various medicines that prevent pregnancy such as the birth control pills or the use of a condom, is not a problem from .the point of view of the Fiqh of the Hanafi school of thought

Keeping a gap between the (delivery of) children – if a need necessitates this, if it is .۲ done with the consent of the couple and it is done through placing something inside the woman such as an I.U.D., or through having the tubes tied, then it must be done by a female doctor. This form of keeping a gap between the (delivery) of children – in

the case of necessity – is permissible from the point of view of the Fiqh of the Hanafi .school of thought

Hajj Akhund Tala`i

Hajj Nur Muhammad Akhund Nuri Zad

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The Noble Prophet of Islam (blessings of Allah be upon him and his family) has stated, ".“Whoever takes a wife for himself must treat her with respect

Mustadrak al-Wasa`il, Volume ١۴, Page ٢۴٩, Hadith ٢

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In His Name, the Most High

,Dear Teacher

Peace be upon you. Keeping in mind that my present profession (Health Teacher) necessitates (the need to ask this question) and with regret (for troubling you), we would like to request you to answer the following question and provide as much guidance as possible to those of us who are in the same locality as you and to assist .us in this matter

In the past, we were able to benefit from the cooperation, guidance and help in relation to the question on this important issue and also that you showed acceptance and grace to this humble servant, I am completely thankful and respect your worth and that we have troubled you and taken up your priceless time and seek your .forgiveness

Question: Dear teacher, please explain to us what the opinion of the clear religion of Islam - which is also the most complete religion - is from the point of view of the Fiqh of Imam Shafi`i in regards to the birth control pill, condom, I.U.D., tubal ligation (for the woman or man) and all the other forms or methods that one

can use to prevent a woman becoming pregnant, keeping in mind all of the aspects .and proofs – so that we can make this issue clear in the minds of the readers

,With Thanks

Yadullahi Yakhchalian

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In His Name, the Most High

.(After praise (to Allah) and prayers (upon the Prophet

Answer: In the view of Islam, increasing the number of generations for that person who has the ability and who possesses a wife and a (comfortable) life is Mustahab (highly recommended) and a greater number of children does not result in poverty except if the person's life goes against the religion of Islam and the correct principles (of life) since the Creator of the Universe is the Sustainer and you can not have a .Creator who is not the Sustainer

That which becomes a source of poverty is ignorance and not going out to work through employing Tawakkul (reliance upon Allah) and to indulge in extravagance and .miserliness which Islam has prohibited and made forbidden

That which acts as a source of (economic) independence is knowledge, practice (upon .(which one knows) and proper economics (in one's life

In the event that poverty or economic challenges come into play, then controlling and planning the number of children one has and preventing pregnancy to control the amount of children one has within the family in which ever way is permissible. However it is forbidden and not permitted to abort a pregnancy once the egg has become fertilized and has life

.within it

During the lifetime of the Prophet (of Islam), the method of birth control that was used was to ejaculate outside of the woman meaning that when the man was ready to ejaculate, he did so outside of the woman so that the sperm would not fertilize the :egg and this can be seen from the following Hadith

كنا نعزل وَ القرآن ين_زل

We used to practice coitus interruptus while the Qur`an was being revealed (during" the time when the Prophet was alive and verses of the Qur`an were being revealed ".(to him – and nothing came to prohibit this act of ours

In addition, on page ۲۹۳ of the book of Fatawa of al-Shaykh Mahmud Shaltut and on page ۱۹۴ of the book Al-Halal and Al-Haram in Islam by al-Shaykh Yusuf al-Qardhawi, and on pages ۴ to ۱۶ of the book Zadul Ma`ad from Ibn Jawzi, there are rulings and proof given in detail to permit this however we refrain from mentioning these (proofs) .here

Haider Mustafawi

Member of the Council of Scholars of Sanaddaj

And one of the Teachers of Islamic Studies of Sanaddaj

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In His Name, the Most High

,Dear Teacher

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,With Thanks

Yadullahi Yakhchalian

Answer: That which we can write in relation to the answer for your question is the exact text of the Hadith from the book Sahih Muslim (Imam Abu al-Hasan Muslim ibn :Hajjaj ibn Muslim Qashri) from volume ۴ in the Hadith from Harun ibn Sa`id al-Ayami

حدثنی هارون بن سعید الأیلی. حدثنا عبدالله بن وهب. أخبرنی معاویه (یعنی ابن صالح) عن علی بن أبی طلحه عن أبی الوداک، عن أبی سعید الخدری. سمعه یقول: سئل رسول الله صلی الله علیه وسلم عن العزل ؟ فقال: ما من کل الماء یکون الولد. وإذا أراد الله خلق شیء لم

يمنعه شيء. حدثنى أحمد بن المنذر البصرى. حدثنا زيد بن حباب. حدثنا معاويه. أخبرنى على بن أبى طلحه الهاشمى عن أبى الوداک، عن أبى سعيد الخدرى، عن النبى صلى الله عليه وسلم. بمثله.

Abi Sa`id al-Khudri has said that he heard Abil Wadak say, “The Messenger of Allah (blessings be upon him) was asked concerning coitus interruptus (ejaculating outside of the woman) to which the Prophet replied, ‘A child is not brought forth from every sperm and when Allah intends to create a thing then nothing can prevent it.’”

حدثنا أحمد بن عبدالله بن يونس. حدثنا زهير. أخبرنا أبو الزبير عن جابر ؛ أن رجلا أتى رسول الله صلى الله عليه وسلم فقال: إن لى جاريه هى خادمنا وسانيتنا. وأنا أطوف عليها وأنا أكره أن تحمل. فقال: "اعزل عنها إن شئت. فإنه سيأتيها ما قدر لها" فلبث الرجل. ثم أتاه فقال: إن الجاريه قد حبلت. فقال:"قد أخبرتک أنه سيأتيها ما قدر لها".

Jabir reported that a man came to Allah’s Messenger (may peace be upon him) and said: “I have a slave-girl who serves me and refreshes me. I sleep with her and I fear (or do not want) that she should become pregnant.” The Prophet said, “Practice coitus interruptus if you want for she will have coming to her what she deserves (or is her destiny).” The man went away (for some time) and then came to the Prophet and said, “The slave-girl has become pregnant”, whereupon the Prophet said: “Certainly I informed you that she will get

".what was decreed for her

حدثنا أبو بكر بن أبى شيبه وإسحاق بن إبراهيم (قال إسحاق: أخبرنا. وقال أبو بكر: حدثنا سفيان) عن عمرو، عن عطاء، عن جابر. قال: كنا نعزل والقرآن ينزل. زاد إسحاق: قال سفيان: لو كان شيئا ينهى عنه، لنهانا عنه القرآن.

It has been narrated from `Umru from `Ata` from Jabir that he said, "We used to practice coitus interruptus (ejaculating outside of the woman) while the Qur`an was being revealed." Ishaq added, 'Sufyan has said, that if anything were to prevent us ".from acting in this way then it would have been the Qur`an

وحدثنى سلمه بن شبيب. حدثنا الحسن بن أعين. حدثنا معقل عن عطاء. قال: سمعت جابرا يقول: لقد كنا نعزل على عهد رسول الله صلى الله عليه وسلم.

It has been narrated from Ma`qal from `Ata that he said, "I heard Jabir say, Surely we used to practice coitus interruptus during the time of the Messenger of Allah ".((prayers of Allah be upon him

وحدثنى أبو غسان المسمعى. حدثنا معاذ (يعنى ابن هشام). حدثنى أبى عن أبى الزبير، عن جابر. قال: كنا نعزل على عهد رسول الله صلى الله عليه وسلم. فبلغ ذلك نبى الله صلى الله عليه وسلم. فلم ينهنا

.

It has been narrated from Jabir that he said, "We use to practice coitus interruptus during the time of the Messenger of Allah (prayers of Allah be upon him) and when the Prophet of Allah (prayers of Allah be upon him) was informed of this act (of ours), he did not prohibit us (from doing

".(it

These ahadith can be found in the book Sahih Muslim, Volume ۴, Pages ۱۵۹-۱۶۰ and .also on pages ۲۸۲-۲۸۳ of the book Al-Taj al-Jam`i al-Usul in Volume ۲

The meaning of the last Hadith quoted above is that, "During the time of the Messenger of Allah we used to practice coitus interruptus (ejaculating outside of the woman as a form of birth control so that the sperm does not reach to the womb of the ".woman to fertilize the egg) and the Prophet did not forbid us from doing this

Mr. Mudarris Ruhani

Secretary and Trainer of Teachers and Children

***

In His Name, the Most High

My Dear Brother, Mr. Yadullah Yakhchali whose current job is that of a Health .Teacher

As it was mentioned in your letter to this humble servant where you had asked: Is it permissible from the clear religion of Islam which is also the most complete religion to make use of the various forms of control to prevent a woman from becoming pregnant? And from the point of view of the Fiqh of Imam Shafi`i (may Allah be pleased with him) which is the most sound school of thought within Islam, is this an ?issue which has been discussed or not

With a reply of your greetings and thanks for the love that you have shown, we must state that: In the book, "Al-Tajul Jami`al Usul" written by Shaikh Mansur `Ali Nasif, :Volume ۲, page ۲۳۸, it has been written

عن جابر قال: كنا نعزل

على عهد رسول الله فبلغه ذلك فلم ينهنا.

Meaning that during the lifetime of the Messenger of Allah, when we used to have intercourse with our wives, we used to ejaculate outside of the woman (so that she would not become pregnant) and when this information reached to the blessed .attention of the Prophet, he did not prohibit us from it

Thus, the above mentioned act is permissible within the Madhab of Imam Shafi`i .((may Allah be pleased with him

In addition, in closing this topic, it has been mentioned on the above mentioned page :of the book that it states

فائدلا حكم العزل هذا يجرى عَلــى الإستعمال دواء لمنع الحمل موقتا وَ يجرى عَلــى إسقاط النطفه قبل نفخ الروح فيها فإن الحكمه فى الكل وَ أحد لا وهى منع الحمل وَ الله أعلم

.

This means: Making use of medication to prevent pregnancy and even to abort or remove the fertilized egg which is in the womb of the mother which does not have the spirit infused into it yet in order to prevent pregnancy is permissible. Therefore, using birth control pills, condoms and other than these for birth control to prevent pregnancy and to prevent more children – as long as these things do not have a negative spiritual and or physical (or both) effect on the woman who is using them, then within the clear teachings of the religion of Islam and the Madhab of the late Imam Shafi`i (may Allah be pleased with him) is correct and is not

.a problem

In addition, if the fertilized egg has attached its self to the womb of the woman however there is still no life in it yet and the soul has not yet been infused into it, then as long as aborting and removing this would not pose a physical or psychological hazard or danger to the pregnant woman, then it is permissible (to go forth with the .abortion) and to use the best possible correct method to end the pregnancy

Of course, making use of the methods of preventing a pregnancy, according to that which was mentioned, has been permissible in every time and age especially in this day and age when we all know that the radio stations of our nation (Iran) and also the most important newspapers of this country have continuously been speaking about .the various dangers of having a large population

Leaving all of this aside, we ourselves very well know people who have children and due to having many children are faced with the pressures of life. Woe to those people who from the point of view of wealth have been deprived however at the same time .are the ones with a large number of children

In closing, we ask Allah the Most High to permit us all to be successful in acting upon the commandments of the upright and clean religion of Islam and that He protect us .(all from the pains and trials (around us

,The lowest

Husain Mudarris Garchi

۹/۱۲/۷۰

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The Noble Prophet (blessings of Allah

be upon him and his family) has said, “Any time a woman says to her husband, ‘I have never seen anything good come from you’, the reward for all of her good deeds is taken away from her.”

Wasa`il ash-Shi`a, Volume ۱۴, Page ۱۱۵, Hadith ۷

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In the name of Allah, most Compassionate, most Merciful

My dear brother, Mr. Yakhchalian,

In reference to the issue of family planning and the opinion of the scholars of the Shafi`i school of thought which you had requested. We would like to inform you that during the time of the Noble Messenger of Islam, Muhammad (peace be upon him), his noble companions (may Allah be pleased with all of them) – who were the students of the school of this personality – they used to practice `Azal (ejaculating outside of the woman) and when the Prophet heard about this, he did not prevent them from doing it.

Without doubt, the purpose of the companions of the Noble Prophet (in marrying) was to increase the population and to look after the planning of their families.

Today, if something else can take the place of coitus interruptus and the doctors declare it permissible, then from the point of view of the religion, it would be permissible (as well) and would not be a problem.

Muhammad Shaykhul Islam

Secretary General of the Security Council

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In relation to using the various methods of birth control, it was asked from Mr. Mamusta Mullah `Arif Mudarrasi, the son of the late Mamusta

:Mullah Baqir Mudarrasi better known as Mudarris Kurdistani

Question ۱: Dear teacher, please inform us what the opinion is according to the Shafi`i school of thought for women to use the various methods of birth control such as birth ?control pills, condoms, I.U.D., tubal ligation and other methods

Answer ۱: From the book, I`anatul Talibin, which is a commentary on the book entitled Fathul Mubin in the beginning on the section on marriage, chapter four, page ۲۵۴, it has been mentioned that there are three methods which can be used to prevent :pregnancy

Before the husband and wife have sexual relations at which time it is allowed .۱ .meaning it is halal (permissible) and there is absolutely no problem

After the couple have had sexual relations however the fertilized egg has not yet .۲ had life infused into it – meaning the fetus has not yet reached to four months of age in which case to abort it is Makruh or highly discouraged however it is still not haram .((forbidden

In the event that the egg is fertilized, then to abort it (at this time – after four .۳ months) would be haram (forbidden) and it would be forbidden to kill that which is .living

From the explanation given by the teacher, it can easily be seen that not only do the methods of birth control not have any problem from the point of view of the Islamic legislation, rather, very clearly, sometimes the order to go forth with it (birth control) .has even been given

p: ۶۷

Forget about those people who do not have the (spiritual) eyes to see and understand the commands of the Lord and let them continue in their pessimistic talks since our .religion is the most complete religion

۲۱st of the Blessed Month of Ramadhan, ۱۴۱۸ AH

****

Faruq Rahmatullah Jawid Imam of Jumu`ah of Dashti

Administrator of the Center for Health of Kangan Province

In the name of Allah, most Compassionate, most Merciful

Our respects to you. Your letter numbered ۲۰.۴۱.۱۰۵۷۱ dated the ۱۱/۱۱/۷۵ had reached us with your questions in regards to using the various methods of birth control to prevent pregnancy such as the birth control pill, condom, I.U.D., in order to create a gap between the birth of children. In addition, the questions in relation to permanent birth control such as having one's tubes tied for the woman or man if it is done with .complete approval of the other party

All of these are absolutely no problem and from the point of view of the school of thought of Imam Shafi`i (may Allah's mercy be upon him), they are all no problem. In addition, in relation to blood examinations of the couple which take place in the Health centre, it is better that these tests take place before the permanent marriage .contract (vows) are performed and from Allah comes the true success

Penned by the Imam of Jumu`ah and the Principal of the Khulafa Rashidin Theological Seminary of Dashti

Faruq Jawid

****

Imam Ja`far as-Sadiq (peace be upon him) has said, "Anytime any of you go on a journey

".and then return back home, bring back for your family, as is possible for you, a gift

Wasa`il ash-Shi`a, Volume ۸, Page ۳۳۷, Hadith ۱

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Keeping in mind that within the text of the Qur`an and the Sunnah (of the Prophet)," there is no clear injunction in regards to birth control to prevent pregnancy and also remembering that to ejaculate outside of the woman is permitted, we can deduce that all other methods of preventing pregnancy – either temporary or permanent are also permitted. Of course, those methods of permanent birth control must also be ".(done voluntarily (with the condition that they are reversible

Shaikh Muhammad Mahdi Shams ad-Din (one of the Religious Authorities of (Lebanon)(۱

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A majority of the scholars of the Hanafi (school of Jurisprudence), just as they have" • permitted coitus interruptus, have also permitted other modern methods of birth control with the consent of the husband. Of course, the later scholars of the Hanafi (school of Jurisprudence), keeping in mind that the needs of the time (the decrease in the (Islamic) teachings and the fear of giving birth to un-righteous children) also do (not consider the permission of the wife for coitus interruptus to be necessary."(۲

A majority of the scholars of the Maliki (school of Jurisprudence) have confirmed" • the permissibility of using the method of coitus interruptus to prevent pregnancy and some of the scholars have stated that the consent of the wife is a condition (in (this)."(۳

A majority of the scholars of the Shafi`i" •

Family Planning in the Legacy of Islam, Page ۱۸۹ -۱

Ibid., Page ۱۵۲ -۲

Ibid., Page ۱۵۵ -۳

school of Jurisprudence) have deemed it permissible to employ coitus interruptus) and do not consider it necessary to take the permission of the wife for this. Of course, in instances (the wife not being pleased with this), it is discouraged however in summary, it is necessary for the husband to have the consent of his wife before he has intercourse with her, however in relation to coitus interruptus, it is not a condition ((to have her consent)."(۱)

- "A majority of the scholars of the Hanbali (school of Jurisprudence) deem it permissible to use coitus interruptus with the wife's consent (whether she be young (or old). However in certain circumstances, the wife's permission is not needed."(۲)

- "A majority of the scholars of the Zaidiyah (school of Jurisprudence) are of the belief that it is not forbidden to use coitus interruptus and thus, they deem it permissible however they have a difference of opinion if it is necessary to have the consent of the (wife."(۳)

- "A majority of the scholars of the Isma`iliyyah (school of Jurisprudence) are in agreement with the permissibility of coitus interruptus with the consent of the wife and this consent must be given by the woman at the time that the marriage is being (performed."(۴)

- "A majority of the scholars of the `Ibadiyyah (school of Jurisprudence) deem it (permissible to use coitus interruptus as long as her consent has been given."(۵)

In ۱۹۹۱, Shaikh Jadil Haqq `Ali Jadil Haqq, the grand rector of Al-Azhar, published a detailed

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۱- Ibid., Page ۱۵۹

۲- Ibid., Page ۱۶۲

۳- Ibid., Page ۱۶۵

۴- Ibid., Page ۱۶۷

۵- Ibid., Page ۱۶۷

.report on the Islamic regulations in relation to women's issues

This report included various issues such as: how they have come to the conclusion in regards to the use of birth control to prevent pregnancy, abortion and permanent .forms of birth control

Rule ١: In the clear text of the Qur`an, there is no prohibition in relation to birth control to avoid pregnancy or in relation to reducing the number of children that one should have. However, by making use of the examples given in the Sunnah of the Prophet and by employing deductive reasoning, we can presume that the modern methods of .preventing pregnancy are permissible

Rule ٢: Preventing pregnancy is not equivalent to killing another person and it does not go against the issues of Tawakkul (reliance upon Allah) and the fact that Allah is the .sustainer

Rule ٣: Making use of the temporary methods of preventing pregnancy are permissible however in relation to the permanent methods of birth control, in the .event when it is necessary for the individual, then it too is permissible

Rule ۴: It is forbidden (haram) to abort the fetus after ١٢٠ days except in cases when the life of the mother is in danger (after the soul has been infused into the body). A group of scholars from amongst the Maliki, Imamiyah, `Ibadiyah, Zahriyyah and Hanbali (schools of Jurisprudence) have considered it forbidden (haram) to have an .abortion after forty days

Rule ۵: Using the sperm of one's spouse (to fertilize ones' self) is

permissible however it is not permissible to use the sperm of another person (the (Sperm Bank).(١)

Sources of Books Used

١. Tawdhiul Masail (Islamic Laws) of Imam Khumayni (may Allah be pleased with him)

٢. Religious Enquiries of Imam Khumayni (may Allah be pleased with him). Printed in Qum by Islamic Publications in co-operation with the Council of Islamic Schools (١٣٧٥)

٣. Medicine in the Light of Ijtihad, Islamic Medical Questions from Ayatullah al-`Uzma Khamene'i. Published by Mabrur Cultural Assistance Organization (١٣٧٥). Compiled by the director of health of Shahid Beheshti Hospital

٤. Religious Enquiries from the office of the Supreme Leader Ayatullah al-`Uzma Khamene'i.

٥. Religious Enquiries from the offices of the various Religious Scholars of the Shi`a and Ahl as-Sunnah

٦. Islamic Medical Issues compiled by Muhammad Ruhani `Ali Abadi, Fatimah Nughani, Shur Imani

٧. Islamic Narrations in relation to Married People and Family Ethics compiled by a group of Servants of Zahra

٨. Islam and Family Planning, Sayyid Muhammad `Ali Iyari

٩. Health and Family Planning, Ayatullah Shahid Doctor Beheshti, ١٣٧٩, The Foundation overseeing the publishing of the works and thoughts of Shahid Ayatullah Doctor Beheshti

١٠. Family Planning in the Legacy of Islam, Abdel Rahim Omran, United Nations Population Fund, ١٩٩٢

Ibid., Page ٢٣٨ -١

About center

In the name of Allah

هَلْيَسْتَوِيالَّذِينَيَعْلَمُونَوَالَّذِينَلَايَعْلَمُونَ

?Are those who know equal to those who do not know

al-Zumar: ٩

:Introduction

Ghaemiyeh Computer Research Institute of Isfahan, from ٢٠٠٧, under the authority of Ayatollah Haj SayyedHasanFaqihImami (God blesses his soul), by sincere and daily efforts of university and seminary elites and sophisticated groups began its activities .in religious, cultural and scientific fields

:Manifesto

Ghaemiyeh Computer Research Institute of Isfahan in order to facilitate and accelerate the accessibility of researchers to the books and tools of research, in the field of Islamic science, and regarding the multiplicity and dispersion of active centers in this field

and numerous and inaccessible sources by a mere scientific intention and far from any kind of social, political, tribal and personal prejudices and currents, based on performing a project in the shape of (management of produced and published works from all Shia centers) tries to provide a rich and free collection of books and research papers for the experts, and helpful contents and discussions for the educated generation and all classes of people interested in reading, with various formats in the .cyberspace

:Our Goals are

(propagating the culture and teachings of Thaqalayn (Quran and Ahlulbayt p.b.u.t-

encouraging the populace particularly the youth in investigating the religious issues-

replacing useful contents with useless ones in the cellphones, tablets and computers-

providing services for seminary and university researchers-

spreading culture study in the publich-

paving the way for the publications and authors to digitize their works-

:Policies

acting according to the legal licenses-

relationship with similar centers-

avoiding parallel working-

merely presenting scientific contents-

mentioning the sources-

.It's obvious that all the responsibilities are due to the author

:Other activities of the institute

Publication of books, booklets and other editions-

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.Producing animations, computer games and etc-

Launching the website with this address: www.ghaemiyeh.com-

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Launching the system of answering religious, ethical and doctrinal questions-

Designing systems of accounting, media and mobile, automatic and handy systems,- web kiosks

Holding virtual educational courses for the public-

Holding virtual teacher-training courses-

Producing thousands of research software in three languages (Persian, Arabic and- English) which can be performed in computers, tablets and cellphones and available and downloadable with eight international formats: JAVA, ANDROID, EPUB, CHM, PDF, HTML, CHM, GHB on the website

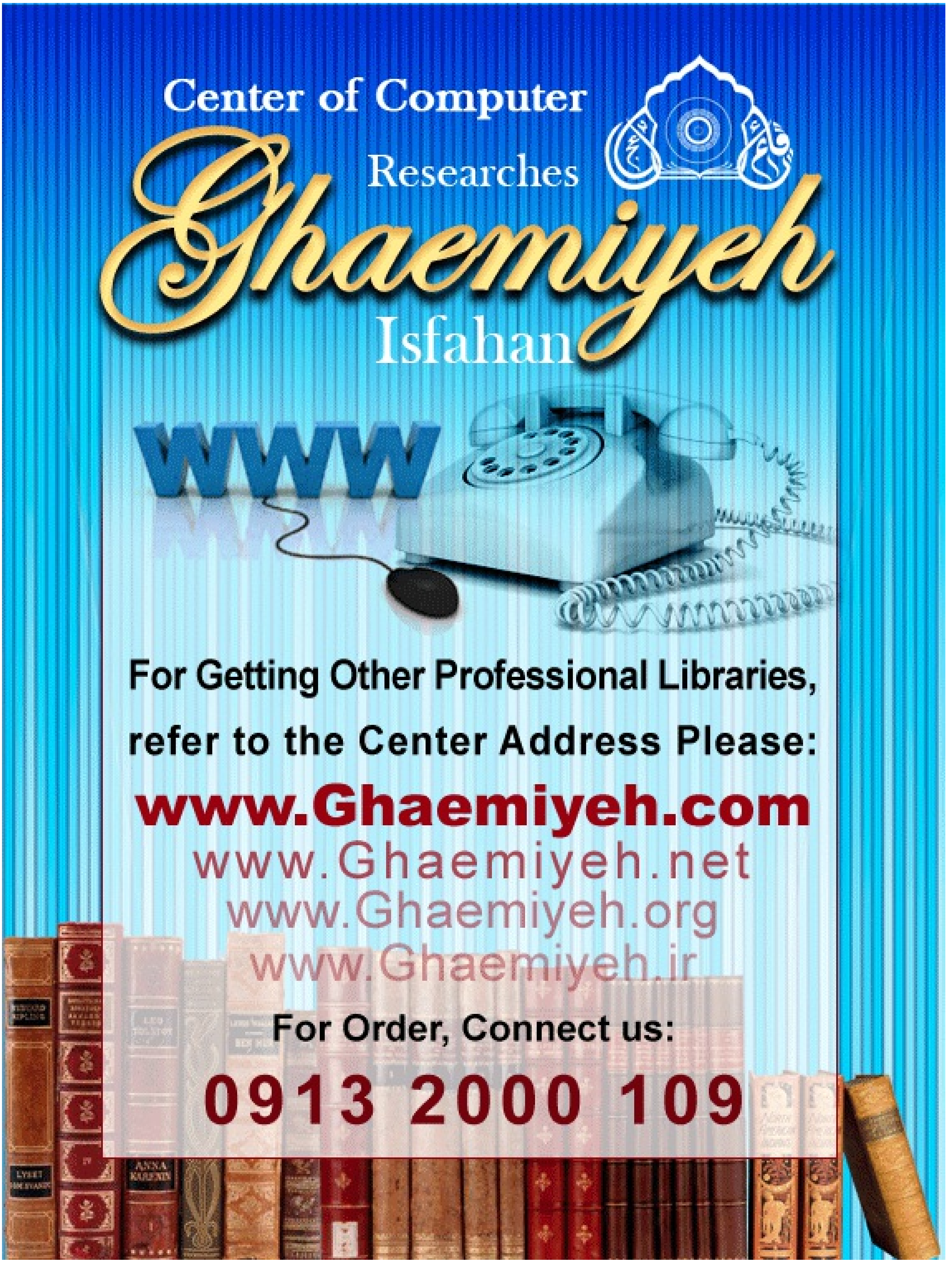
Also producing four markets named "Ghaemiyeh Book Market" with Android, IOS,- WINDOWS PHONE and WINDOWS editions

:Appreciation

We would appreciate the centers, institutes, publications, authors and all honorable .friends who contributed their help and data to us to reach the holy goal we follow

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